

### IN SENATE, JAN. 6, 1857.

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#### GOVERNOR'S MESSAGE.

*To the Senate and Assembly:*

In addressing to the Legislature this communication at the commencement of our public duties, in conformity with the Constitution, my first impulse is to offer to you my congratulations upon the happy, prosperous and healthful condition of our people and commonwealth.

By the blessing of God the pestilence which was at the very door of our great sea-port was turned from it, our population is steadily progressive, and industry, in all its callings, has, during the past year, found constant employment and reaped abundant reward.

From the returns made to me by the different departments, I am enabled to lay before you a summary of the leading interests of the State:

#### STATE OF THE TREASURY.

The balance in the treasury at the commencement of the year	
was, .....	\$3,127,510 98
Receipts of the treasury from all sources during	
the fiscal year ending Sept. 30, 1856, .....	14,677,190 11
	<hr/>
	\$17,804,701 09
Total of payments from the treasury during the	
same period, .....	14,563,110 68
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Leaving an aggregate balance in the treasury on	
Sept. 30, 1856, .....	\$3,241,590 41
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## COMMON SCHOOL FUND.

The capital of the Common School Fund is...	\$2,491,916 4
Showing an increase during the fiscal year of .....	\$34,395 25
The income of the fund for the year is .....	159,549 7
And the amount appropriated from the income of the U. S. Deposit Fund for common schools and school dividends is.....	165,000 0
	<hr/>
	\$324,549 7

The payments from the fund on account of  
revenue received, viz:

Common school dividends.....	\$310,000 00
Miscellaneous .....	638 98
	<hr/>
	\$310,638 8

## LITERATURE FUND.

The capital of the Literature Fund is .....	\$269,452 1
The income of this fund for the year is .....	\$16,986 56
And the amount appropriated from the income of the U. S. Deposit Fund is.....	28,000 00
	<hr/>
	\$44,985 5
The payment from the fund for dividends to the academics, &c.....	42,701 9

## U. S. DEPOSIT FUND.

Capital.....	\$4,014,520 7
Revenue this year.....	256,549 0
Amount paid from the revenue of the fund ..	260,401 4

## GENERAL FUND STATE DEBT.

Amount of debt exclusive of temporary loans to the treasury, to be  
paid from revenues of the General Fund is,.. \$6,505,654 37

## GENERAL FUND DEBT SINKING FUND.

The deficiency in this fund to meet the payment of the interest on  
the State debt has increased during the year \$6,928.53, show-  
ing a deficiency on 30th Sept., 1856, of.... \$23,780 50

## GENERAL FUND REVENUE.

The deficiency in the revenue of the General  
Fund is,..... \$88,007 79

## CONTINGENT DEBT OF THE STATE.

State stocks issued and loaned to railroad companies,.....	\$770,000 00
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## THE CANALS.

From the books of the Canal Department I am furnished with the following abstract of the actual debt outstanding at the close of the last fiscal year, as well as of the revenue and expenditures of the canals. The details under all those heads will be communicated, with other interesting matters pertaining to the canals and their enlargement, in the annual reports of the Canal Commissioners, of the Commissioners of the Canal Fund, of the Auditor of the Canal Department, and of the State Engineer :

## CANAL DEBT.

Under article 7, sec. 1, of the Constitution, ...	\$13,223,704 33
Under article 7, sec. 3, of the Constitution, ...	8,750,000 00
Interest paid out of the General Fund,.....	442,585 49
Total on 30th September, 1856,....	<u>\$22,416,289 82</u>

## REVENUES AND EXPENDITURES OF THE FISCAL YEAR.

*Receipts.*

Tolls from the canals,.....	\$2,719,925 63
Rent of surplus water,.....	1,815 00
Interest on current canal revenues, &c., .....	27,392 77
	<u>\$2,749,133 40</u>

*Payments.*

For repairs of canals,.....	\$669,406 16
To collectors, weighmasters, and miscellaneous expenses,.....	117,227 24
	<u>786,633 40</u>
Surplus revenues,.....	<u>\$1,962,500 00</u>

Amount set apart by article 7 of the Constitution to pay the interest and redeem the principal of the State debt, viz. :

For that part of the debt called the Canal debt, sec. 1, . . . . .	\$1,700,000 00	
For that part of the debt called the General Fund Debt ( $\frac{3}{4}$ ths of \$350,000), sec. 2, . . . . .	260,500 00	
	<hr/>	\$1,962,600 )
		<hr/> <hr/>
Tolls received in the fiscal year ending 30th September, 1856, . . . . .		2,719,925 )
Tolls received in the fiscal year ending 30th Sept., 1855, . . . . .		2,631,491
		<hr/>
Increase, . . . . .		\$88,434
Received from the treasury on account of taxes under chap. 835, § 2, Laws of 1855, . . . . .		320,000
		<hr/> <hr/>
Which has been applied to the Sinking Funds, viz:		
For the General Fund debt, . . . . .	\$87,500 00	
For the Enlargement debt, . . . . .	232,500 00	
	<hr/>	\$320,000 (
		<hr/> <hr/>
A loan (5's 1874) was effected to supply defi- ciencies under article 7, § 1, of the Constitu- tion, . . . . .		4,000,000 0
A loan (5's 1874) was effected to supply defi- ciencies under article 7, § 3, of the Constitu- tion, . . . . .		500,000 0
		<hr/>
		\$4,500,000 0
		<hr/> <hr/>
(Included in the Canal debt on 30th Sept., 1856.) Redeemed during the fiscal year:		
Canal stocks, 6's of 1855, . . . . .	\$243,083 34	
do 5 1-2's of 1855, . . . . .	800 00	
	<hr/>	\$243,883 34
Canal stocks, 5's after 1855, . . . . .		3,874,383 00
		<hr/>
		\$4,118,266 34
		<hr/> <hr/>
Canal revenue certificates, 6's of 1861, . . . . .	\$283,500 00	
Canal rev. certifi's 6's of 1866, . . . . .	87,500 00	
	<hr/>	371,000 00
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Total amount REDEEMED AND CANCELLED,.....	\$4,489,266 34
The entire Canal debt as it existed on the 30th day of September last, was .....	\$22,416,289 82
Add to this the sum of.....	2,250,000 00
The amount authorized to be borrowed during the present fiscal year, which completes the loans provided for in the late amendment of the Constitution for the enlargement and completion of the canals, and it makes the sum of.....	<u>\$24,666,289 82</u>

It appears by the Annual Report of the State Engineer, made to the Legislature at its last session, that after the amount raised upon these loans shall have been exhausted and also the premiums realized from them, there will still exist a deficiency of over \$2,500,000 necessary to finish the enlargement and completion of the canals.

This deficiency arises from the circumstance that the estimate upon which the amendments of the Constitution were based, included only the construction of the work, and did not include engineering, land and other damages necessarily consequent upon the construction. The work has generally been contracted for below the estimate, and on terms advantageous to the State. However we may regret this deficiency, it is nevertheless to be met and provided for, the interests at stake being too wide spread and important to be left for a moment in suspense.

The whole length of the canals and public works is 892 miles. Their entire cost, when complete, will amount to about \$50,000,000, and their capacity will then, it is confidently believed, be equal to the transportation of all that may be offered to them, at a rate of toll so low as to defy competition. The deficiency now existing is only about one-twentieth of the entire cost of these works, to be borne by a State in its manhood, and with an assessment roll of nearly *fourteen hundred millions* of dollars in taxable property. The steps necessary to make good what is needed will demand your early attention. For I venture to assume that under no circumstances will it be deemed wise or expedient, with the experience we already have of the cost and evil of suspending works under contract, to permit those now in progress to be interrupted. Much less should any purpose of selling the canals be for a moment entertained. They are State



works in their origin and progress. They should so continue to completion, and forever remain the property and under the control of the State; in honor of the sagacious enterprise that projected them, the liberal public spirit which, in the face of vehement opposition and combined political and pecuniary obstacles, carried them successfully through, and because the time is near at hand when, the whole enlargement effected, they will amply repay the cost of construction and maintenance and afford in the future a large revenue to the State.

By re-opening the Constitution for such a modification of a financial article as would extend the period for the redemption of the canal debt from eighteen to thirty years, canal loans would be negotiated, as others have been, upon terms highly advantageous to the State. Such an amendment of the Constitution, however, assuming that the people approve of it, will require nearly two years; and in the event of its failure, the evils of a second suspension of the public works would be inevitable.

The more direct, and therefore, probably the wiser way to complete the enlargement, is to impose a tax, which, while it relieves the exigency of the Government, will bear by no means onerously upon the people. Even if we forget the benefit already conferred upon the State by its canals, the money now required for their completion should only be regarded as a temporary loan, for when completed, the canals, with their largely augmented surplus revenue, applicable to the support of the Government, will, in wholly exempting the people from taxation, at once repay the debt.

The Erie canal, with its tributaries, has peopled and enriched our State, invigorated every department of industry, and greatly enhanced the value of our possessions. The three millions of dollars first loaned and then given to the Erie railroad, proves, in the developed resources, and in the largely increased value of the timber and agricultural lands of the "southern tier," and the cheap and speedy access to the coal fields of Pennsylvania, to have been a good investment. With a State rich in its soil, rich in its products, rich in its improvements, and richer still in the enterprise, intelligence and patriotism of its inhabitants, I confidently anticipate a cheerful acquiescence in any just measure looking to the speedy completion of the public works, which the Legislature may adopt. And be assured, in advance, of my hearty co-operation.

The banks, banking associations and individual bankers in this State are in a sound and healthy condition and it is to be regarded as an evidence of the beneficial operations of the General Banking Law upon the currency of the State, that but a single failure has taken place during the past calendar year, and that, an individual banker doing business under the name of the State Bank of Sacket's Harbor with a capital of \$20,000.

The notes issued to him are now redeemed at par at the Banking Department, from the proceeds of the sale of the securities deposited in the office. The increase of bank capital in this State during the past fiscal year has been over \$12,000,000, all of which, it is believed, finds ready and profitable employment. The total amount of capital now employed in the business of banking exceeds \$96,000,000.

The general appropriations and supply bills having unexpectedly failed at the last session of the Legislature, all the usual grants of money to literary, charitable and agricultural institutions and for the various departments of the State government, failed also. Hence the necessity will be obvious to you of making early appropriations for these deficiencies, and of providing at the same time in the liberal spirit which has heretofore distinguished the Legislature of the State, for the future efficiency of these institutions and of the public service.

The census taken under the authority of the state in 1855 presents results which every citizen of New-York may contemplate with equal pride and gratification.

The returns as I learn are all now in the hands of the printers and in a great state of forwardness. Meanwhile I am furnished by the superintendent of the census with some facts which you will, I am sure receive, as I lay them before you, with great satisfaction.

The first is a summary of the population of the State at each census since 1790, with the increase between each period and the annual percentage of the increase upon each preceding census :—

Years.	Population.	Increase.	Annual percentage of increase.
1790.....	340,120	—	—
1800.....	588,603	298,483	7.30
1810.....	961,888	373,285	6.35
1815.....	1,035,910	74,022	1.92

Years.	Population.	Increase.	Ann cent incr
1820.....	1,372,814	336,902	4
1825.....	1,616,458	243,646	5
1830.....	1,913,131	296,573	6
1835.....	2,174,517	261,386	9
1840.....	2,428,921	254,404	9
1845.....	2,604,495	175,574	4
1850.....	3,097,394	492,899	7
1855.....	3,466,212	368,819	3

One of the most prominent indications of the census is the tendency of our population to centralize in cities and large villages. Several agricultural counties have not increased in population for many years. The unlimited field of enterprise offered in manufactures, trade and commerce appears to have caused the growth of cities and towns along the lines and at the centres of our great routes of transportation and travel.

The nativity of our population is as follows:

State of New-York,.....	2,222,321	
Other parts of the U. S.,.....	306,123	
	<hr/>	2,528,444
Foreign countries,.....		920,100
Unknown,.....		17,233
		<hr/>
		3,466,223
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Number of deaf and dumb in the

State,.....	1,422	
Number of blind,.....	1,136	
Number of insane,.....	2,742	
Number of idiotic,.....	1,812	
	<hr/>	7,112
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Value of dwellings,.....	\$674,894,35
do farms, .....	789,850,36
do stock,.....	103,776,55
do agricultural implements,.....	26,926,50
do real estate invested in manufactures.	70,718,85
do tools and machinery,.....	36,191,97
do raw materials used in manufacture,..	179,390,71
do manufactured products,.....	321,261,28
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	\$2,203,010,60
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Value of improved land, .....	13,574,479
do unimproved land, .....	13,070,699
Value of special manures used, .....	\$663,462

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*Churches.*

Number of church edifices, .....	5,077
Value of churches and lots, .....	\$27,769,328
do other real estate, .....	3,710,816
Number of seats in churches, .....	2,141,159
Total attendance, ....	1,121,211

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*Newspapers and Periodicals.*

Total number of newspapers, .....	559
do other periodicals, .....	112
do dailies, .....	73
do tri-weeklies, .....	13
do semi-weeklies, .....	16
do weeklies, .....	411
do monthlies, .....	113
Number whose circulation was reported, .....	540
Number of copies printed per annum of those thus reported, .....	193,294,621
Estimated copies of all classes per annum, .....	241,749,902

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*MILITIA.*

The Adjutant General reports that there are eight divisions of the militia of the State, composed of twenty-eight brigades, or twenty regiments. The number of enrolled militia is 335,000, of whom 18,500 are uniformed, armed and equipped, constituting a most effective and powerful volunteer force.

*THE COMMON SCHOOLS.*

It appears by the reports of school officers for the year 1855 that there was expended for teachers' wages, during that year, the sum of .....	\$2,308,035 35
Of which is from the revenue of the School Fund and from the State tax, .....	1,069,639 65
From local taxation in the cities and school districts, .....	779,872 76
From rate bills upon parents and guardians of children attending school, .....	457,430 00

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For the purchase of books for district schools and apparatus for the schools, .....	\$57,20
Expended for building school-houses and for out-houses and fences, .....	379,90
Expended for repairing school-houses and for out-houses and fences, .....	132,11
Expended for hire of school-houses, .....	7,62
do insurance, .....	4,88
Total, .....	<u>\$581,80</u>

Raised by tax in the cities and counties for the purchase of school-house sites, .....	\$57,52
Raised by city and district tax for fuel, .....	149,25
Raised by city and district tax for book-cases and furniture, .....	22,66
Raised by city and district tax for other incidental expenses in New-York city, .....	335,86
Raised by city and district tax for the rest of the State, .....	76,75
The aggregate expenditures for all purposes connected with the common schools, were,...	<u>\$3,531,94</u>

#### *School Districts.*

Reported number in the State in which school has been kept, n an average, eight months in the year, .....	11,13
Teachers employed; number of males, ..10,117	
Number of females, .....	14,019
	<u>24,13</u>
The number of children in the State between 4 and 21 years, .....	<u>1,207,21</u>
Reported attendance in the common schools, ..	876,6
Reported attendance in private un-incorporat- ed schools, .....	45,3
Reported attendance in academies, .....	29,9
	<u>951,9</u>

This would leave between the ages of four and twenty-one not attending school, 255,282.

When it is considered that few children go to school before

and that between sixteen and twenty-one a large proportion is to attend school and go to active work, this discrepancy between the whole number of the children in the State and that of those who attend school, is seen to be more apparent than real, and it may be safely concluded that there are very few children in the State, who do not spend a portion of their time in school. The large number of teachers above reported may seem to indicate, that the whole number is needed and employed at the same time. Unfortunately the truth is not so but rather the reverse, for the number is thus swelled by the frequency of change—one of the greatest evils in a school system—occasioned by the inadequate compensation to school teachers. Hence, although teaching is resorted to by many as a temporary resource, it is relinquished whenever better prospects of support present themselves, and the necessity is thus produced of new appointments. The number given above truly represents that of the persons who have been employed for a portion of the past year as teachers. The actual number at any one time may be stated about 13,000.

This single fact if duly weighed, should impress upon the Legislature the expediency of securing to the position of teachers some permanency, by providing more adequate compensation. Happily, the Legislature of 1856, in lieu of the fixed annual sum of \$800,000 which, by the law of 1851, was apportioned to the Common School Fund, imposed a tax of three-fourths of a cent upon each dollar of valuation. The valuation of the State having increased, the proceeds of this tax for this year will be proportionably larger, although sufficient returns have not been received to determine the amount precisely. It is estimated that the increase of the Common School Fund, the contribution of \$165,000 from the revenue of the U. S. Deposit Fund, and the avails of the State tax, will amount to nearly \$1,400,000. Such liberal pecuniary contribution to the expense of public education, should secure to educators adequate remuneration; and this is only to be accomplished by a wise administration of the school revenues, so that they shall be productive of the desired results. The same Legislature which inaugurated the policy of raising the tax from year to year in proportion to our growing wants, sought also to organize a more efficient system for the inspection of schools and teachers. It provides for the election of school commissioners in the several assembly districts, and has thus furnished a body of officers respectable from the extent of

their several jurisdictions, and with salaries which, though a compensation for the faithful and intelligent discharge of the duties imposed upon them, are yet sufficient to enable men interested in the work to devote their time and energies to its performance. I am informed that the commissioners are, for the most part, competent and zealous, and that the labors of the schools are successful in awakening an increased interest in the common schools among the people, and in elevating the standard of qualification among the teachers.

The system of town supervision for which this was substituted was expensive to the towns and unfruitful in results. The inspection of teachers in too many instances was merely nominal, and the financial reports unsatisfactory.

The new system has not been in operation long enough to afford a practical test of its merits, or to expose its defects, such there be. It may in future require amendment, but it seems no room to doubt the wisdom of the policy which places the school money in the hands of the supervisors, and makes them responsible for its proper disbursement.

It is very obvious that the measures of most pressing importance for general education are those which look to an increased demand for, and supply of, highly qualified teachers. This the Normal School does well. It annually sends forth well trained teachers, whose numbers, however, are small compared with the districts to be supplied.

The whole number of pupils during the past year, which embraces the third and fourth terms, has been 342. Seventy-two of these, 22 males and 51 females, have completed the course prescribed, and have received the diploma of the institution, and are now, with few exceptions, engaged in teaching within the limits of the State. The whole number of those who have enjoyed the advantage of the school for a longer or a shorter period to September, 1856, is 2,687. All the counties have, with the exception of three, viz.:—Allegany, Essex and Milton, been represented in the school during the past year. Thirty-four counties were represented by the graduating class.

In view of the acknowledged deficiency in the supply of competent teachers and of the annually increasing revenue of the Common School Fund, it will be for you to decide what additional shall be given to this branch of the public instruction, whether by multiplying Normal schools or by such other expedients may be devised for effecting so great a good.



I should do injustice to my estimate of the value of agricultural education, and of the college for that purpose endowed under the laws of this State, as well as to my own connexion with the institution, if I failed at the earliest moment to invite your attention to its present condition. The first successful movement in its behalf was by the late John Delafield, of Seneca county, through whose enlightened zeal and perseverance, an act of incorporation was obtained from the Legislature in April, 1853. Encouraged by this success, Mr. Delafield was earnest in securing funds and subscriptions to the enterprise, until suddenly arrested by the hand of death; not, however, before the trustees of the college had manifested their estimate of his services, character and ability by choosing him president of the college. The loan to this college of \$40,000, authorised by the last Legislature, on condition that a like sum be obtained from other sources, enabled the trustees to secure that private aid, and to proceed at once to the organization of the college. They have purchased a farm of 670 acres in Seneca county, on a part of which, extending from Seneca lake to the village of Ovid, they design to erect the necessary buildings. They have elected Samuel Cheever, of Saratoga county, president of the college; are taking measures to procure competent instructors; and hope to have the institution sufficiently advanced to receive students before the close of the present year. Among the many grants for education most worthily and liberally bestowed by the Legislature on different institutions in this State, this loan is the first specific aid towards the instruction of youth in the science and practice of agriculture, the greatest interest in this great State. I am quite confident, as it was liberally bestowed, so it will be wisely used; and I will not doubt that the plant thus set out, and already springing into hopeful promise, will receive, as it may need, all seasonable nurture at the hands of future legislatures.

In the month of August last the Dudley Observatory of the city of Albany was inaugurated, in the presence of a large concourse of the scientific men of the country, with the most auspicious promise of usefulness and honor; and we shall henceforth possess an astronomical observatory which, for the completeness of equipment, and the number, delicacy and power of its instruments, will equal, if not surpass, any similar institution in the old world.

While it is gratifying to see the munificence of individuals flowing in so noble a channel, the State itself cannot be indif-

ferent to the progress of true science, inseparably connected with all its achievements are with the material prosperity of the country.

You will receive, as usual, reports from the various public institutions of the State for the suppression, the restraint and punishment of crime, and from the eleemosynary institutions for the relief and care of the deaf and dumb, the blind, the imbecile, the insane, and from the dispensaries in the city of New-York which so faithfully provide medical aid for the sick poor.

It is the province of the Legislature to look into the workings of all these, and to afford to them all proper and reasonable assistance, for they are specially the creatures and the concern of Christian civilization.

Reports of the State prisons and of their management, reformation and pecuniary condition will be made to you as usual by the Comptroller of the State and by the Inspectors of the respective prisons—and to these reports I must refer you. Respecting the houses of refuge at Rochester and at Randall's Island, I am enabled by information communicated to me by the managers to speak with some knowledge, and with great satisfaction as to the results there attained.

It is no longer a doubtful experiment but a well ascertained result of the working of these two establishments—that youthful delinquents arrested at the outset of evil courses and subjected to the mild yet vigilant discipline and discriminating control of these institutions—may be rescued in large proportion from vice, and trained to be useful citizens.

In the Western House of refuge since its opening in 1849, there have been received altogether 769. The belief is expressed to me by the managers that “the benign objects of the Legislature in establishing this institution have been, and are being, attained and realized in an eminent degree.”

The older house of refuge at Randall's Island, opened in 1825, has received up to the close of last year 6,880 children. The managers, in a recent communication to me say: “We have every reason to think that the results of our reformatory system have been as satisfactory as at any former period of its history. Of the whole number received up to this time we judge that 75 per cent or nearly *three fourths* are saved.” With such hopeful and unexpectedly encouraging results, I may not withhold my earnest recommendation that such truly benevolent and beneficent institutions should not be left straitened in their means of doing good.

The State Lunatic Asylum at Utica, and the Asylum in New York under the charge of the governors of the New-York hospital as well as that hospital itself, the institutions for the deaf and dumb and for the blind in New-York, the Asylum for idiots and imbeciles, in like manner demand your care and your bounty, which can indeed be called bounty, which is simply the fulfilment of a clear duty of humanity and true citizenship, not less than of moderate economy.

All these institutions are managed, and so far as I have the means of knowing, well and efficiently and conscientiously managed by disinterested and self-sacrificing individuals, who receive no pecuniary compensation whatever, for their services, but are actuated solely by the higher motive of caring for their afflicted and helpless neighbors.

When, then, institutions, thus beneficent and thus managed, appeal to the Legislature for aid commensurate with the wider expense which each succeeding year opens in their operations, they have a just claim to be listened to, with the presumption in their favor; that investigation—without which no legislative aid should be granted—will, in their cases, make good the reasonableness of such appeal.

The committee of the Senate appointed to visit, during the recess of the Legislature, the several charitable institutions receiving aid from the State, also the jails and poor houses in every county, having discharged their duty, will, I am informed, lay the result of their labors before the Legislature at an early day.

The excise laws which are co-eval with our existence as a State, and the proper regulation and enforcement of which have never been deemed essential alike to the morals and well-being of the people, would seem to require, thorough revision. The judicial decision against the act of 1854 for the suppression of intemperance, pauperism and crime, as unconstitutional, has left the sale of intoxicating liquors free from the wholesome restraints of law. However opinions may differ as to the right or expediency of attempting by compulsory legislation to prohibit entirely the sale as a beverage of such liquors, none will doubt that it is both a clear right and an absolute duty so to regulate their sale, as to diminish as far as practicable the risk of their abuse, if we may not entirely prohibit their use; for of the frightful evils of drunkenness, no exaggeration is possible, and



no remedy that law will permit and opinion will sustain, should be left untried.

The Superintendent of the Onondaga Salt Springs, reports the quantity of salt inspected during the year 1856, to be 5,963<sup>34</sup> bushels.—The revenues have been \$59,936,85.

The inspection for 1856 is about 117,000 bushels less than for the year 1855, but exceeds that of any previous year.

The year 1856 cannot be said to have been one of prosperity with the manufacturers. The market opened in the beginning of summer unfavorably and scarcely recovered its tone during the whole season. The present languor cannot be permanent, as the increasing wants of the western States must continue to be supplied mainly from this source. New-York salt has literally penetrated to the Mississippi river, and will undoubtedly be required hereafter to all parts of the north-west above the Missouri line. The reputation of our staple appears to be well established in all the markets to which it has access, and wherever it can be had for the same price, receives the preference over like products from any other quarter.

The public works are generally in good order, but need some extensions. The erection of private works especially for the manufacture of solar salt has been much stimulated for a year or two. Notwithstanding the recurrence of a dull season, there is every reason to believe that the manufactures at the salt sales in and about the city of Syracuse are destined to a continual progression, and that they will prove an inexhaustible source of profit to the State, and of cheap and convenient supply in one of the primary necessities of life to the most populous and thriving portion of our country.

The commissioners on harbor encroachments in the port of New-York, appointed under the act of 30th March, 1855, have been diligently engaged in the discharge of their duties. Mine surveys have been made of the harbor from Sandy Hook to New-York, of the East river to Throg's Neck, of the Hudson to one mile north of Spuyten Devil's creek, and of that creek and Harlem river. The whole of the water area has been carefully sounded, and the directions and velocities of currents have been ascertained. Exterior limits for the construction of piers have been described for the portion of the harbor within this State, and suitable lines for the shores of New Jersey have, at the request of the commissioners, been laid down by their advisory counsel, consisting of Brig. Gen. Totten, commanding the Eng-



the Corps of the United States, Prof. A. D. Bache, Superintendent of the Coast Survey, and Commander C. H. Davis, of the United States Navy.

A description of these lines will be transmitted by the commissioners to the Governor of New Jersey for the consideration of the Legislature of that State.

The commissioners acknowledge gratefully the constant and ready assistance they have received in the prosecution of the objects confided to them from the Coast Survey Service, which is still employed in preparing the maps and charts to be submitted with the reports of the commissioners to the Legislature as early as possible.

From the magnitude of the work it has been found impossible to complete it within the period prescribed by the Legislature at its next session. I recommend such extension of the time as may be needed, for the thorough execution of this very important undertaking.

The Commissioners charged with the duty of providing for sick and destitute emigrants, appointed under the Law of 1847, continue to devote their time and services, without compensation, to this benevolent object. With the *per capita* tax of two dollars on each passenger, the Commissioners have purchased eligible lands in the East river, upon which large and commodious hospital, school and refuge buildings have been erected, where thousands of sick and destitute strangers receive support and instruction.

The Marine Hospital at quarantine, devoted to the reception of patients with infectious or contagious diseases, is also supported by this fund and managed by the Commissioners, and the experience of this year has added emphatic testimony to that of the past, as to the wisdom and efficiency of a quarantine system, firmly and judiciously administered, for protecting the public health against the inroads of pestilence.

In the discharge of its duties the commission has received and expended in nine years, from the Emigrant Passenger Fund, three millions six hundred thousand dollars. Under this system, it will be seen, emigrants furnish support for their own poor, thus relieving the State from a burthen it had hitherto been compelled to bear.

The number of alien emigrants paying commutation, landed at the port of New York from January 1st to December 31st, 1856, is 42,342—being an excess of 6,109 over that of last year, yet

still less than half of the average of the preceding six years. The proportion of these requiring aid, either from disease or destitution, during the last two years, is still smaller. This is attributed in part to legislation, on both sides of the Atlantic, looking to the accommodation and health of passengers on ship-board; and in part to the better condition and character of the emigrants. Nothing, however, has contributed so essentially to the protection of emigrants, or so largely aided the Commissioners in the discharge of their duties, and in diminishing their expenses, as the designation of Castle Garden as the exclusive landing place for emigrants. Its benefits are experienced daily in the comfortable temporary shelter that it affords; in the information there imparted; and the protection given to strangers heretofore exposed to the extortions and impositions of those by whom they were systematically defrauded.

The cities and counties, other than New-York, incurring expense for the support of indigent emigrants, were regularly reimbursed from the emigrant fund up to the commencement of the year 1855, after which time, in consequence of the sudden falling off of emigration, and the consequent diminution of a fund which the support of numerous sick and destitute arriving in former years, soon exhausted, the Commissioners were compelled to defer payments due to the counties. To enable them to meet these demands, the Commissioners will apply for aid to the Legislature; and regarding, as I do, the board of Emigrant Commissioners, like that of the ten governors, which dispenses, with intelligence and integrity, the charities of the city, as eminently beneficent, I commend the whole matter to your favorable consideration.

While other portions of our State have shared in the increase of population, and the progress of improvement, now so abundantly rewarding the enterprise and industry of our people, a vast region, valuable alike in forest and mineral wealth, interspersed with navigable lakes, remains an almost unbroken wilderness. An apprehension, long but erroneously entertained, that the rigorous climate of that section of the State rendered its soil comparatively valueless, has been relieved by satisfactory agricultural results. It has been ascertained that the products of other northern latitudes, grow and ripen in the section referred to. For grazing purposes, much of the land upon what is historically known as "John Brown's Tract," is equal in value to the farming lands by which that tract is surrounded. This hitherto in

tritable region, therefore, when opened to settlement by needed facilities, will furnish timber and iron in exhaustless quantities, sustain a numerous and hardy population, and add hundreds of thousands of productive acres to the assessment roll of the State. Those who cause two blades of grass to grow where but one grew before, are recognized as public benefactors, the importance of claiming and subduing hundreds of square miles of wilderness, situated in the heart of our State, will not, I feel assured, escape the attention of the Legislature.

In this rapid, yet unavoidably lengthened sketch of the condition of our State, its population, agricultural resources, wealth, educational and religious institutions—in its magnificent cities, its far-reaching yet well connected artificial system of inter-communication—its orderly and economical government in contented and prosperous people—a state of society is exhibited which, in attracting the admiration of others, may well receive, as it best rewards the dutiful attachment and fidelity of our own citizens, for here we see what freedom has done—freedom of labor, of enterprise, of speech, of thought, of worship.

It belongs to us all upon whom the Constitution devolves the authority of government for the time being, to take care that in our keeping the interests and honor of the State suffer no wrong; so that when we in turn shall yield our places to those who are to succeed us, we shall be able to hand over the great trust unimpaired and unsullied.

Having thus communicated to you the general condition of the State, I beg leave to submit for your consideration some subjects primarily connected with the city of New-York, which have forced themselves upon my attention, and to which therefore I may not unfitly direct yours, as all of them have a bearing beyond that immediate community. And first as to the abuse of the elective franchise—a topic of universal concern in a representative republic, where place and power are given and taken away solely by the popular vote—all will agree in theory, that in order to ensure respect for its results, this vote should be free, and should be pure. All know that in the city of New-York, and measurably in other large cities, it is not pure, and often is not free. It concerns all citizens alike, of whatever party, of whatever country, of whatever tongue, themselves entitled to vote, that this right, the most precious that man in a social state can enjoy or exercise, shall not be rendered worthless in their hands, through the unlawful exercise of it by others.



No one will dispute these premises, but when it comes to the application of the remedy there is at once a difference of opinion even among those honestly seeking one. I will not permit myself to doubt that the wisdom of the Legislature is competent to devise a corrective, that will be at once effectual and constitutional. And I accordingly commend this subject to early and earnest consideration.

The municipal affairs of the city will also undoubtedly receive and receive a large share of your time and attention. The interests of the citizens of the chief city of our State, and of the Union—a metropolis embracing one-fifth of the inhabitants of the whole State—are so vast and so varied, and its good government is so necessary to the comfort and convenience not only of those who dwell within its limits, but of all the citizens of the State who are attracted to it by social ties, or by the demands of business or trade, that no apology can be necessary for inviting your earnest attention to this important subject. That the administration of the municipal government of the city of New-York has failed, under the present charter of that city, to attain the ends for which all governments are instituted—an honest and thorough enforcement of good laws in such manner as to secure social order with the least hardship and burthen, pecuniary or otherwise, to the individual citizen—is universally conceded. While admitting that the evils which exist may be the result, possibly, in a large degree, of the selection for the discharge of important public trusts of unfit persons, it is quite as certain that there are radical defects in the existing charter of the city, which demand correction. It is not my purpose or province to point out in detail these defects, because they will be more properly and effectually brought to your notice by memorials from the citizens of New-York and by its chosen representatives. I deem it my duty, however, to say that the reorganization of the police system of that city seems absolutely necessary. At present the recorder and city judge are two of the members of the board of the police commissioners, the mayor being the third. Experience has shown in this instance, as in all others, where the attempt has been made, that it is unwise to throw upon judicial officers the discharge of such functions. Their time is withdrawn from their proper duties, while their authority as magistrates is weakened, if not destroyed, by such incongruous occupations. It should be the case with all judicial officers, they devote themselves exclusively to their judicial duties, and thus fail to dis-



age their duties as police commissioners, the whole management of the police system, with its vast power and patronage, is thrown into the hands of the mayor alone. If, neglecting the law, they act as police commissioners, they can scarcely fail to become the objects or subjects of political or personal controversy and ill will. A new police system for the city of New York is therefore required. Experience renders it quite certain that the Legislature will hesitate to entrust the management of the system to the mayor alone. But whether the power should be lodged in a board elected and constituted upon the same principles which have proved so eminently beneficial in regard to the governors of the almshouse of the city of New-York—securing integrity, economy and efficiency with a freedom from all disturbing political or party elements—or whether the board should be appointed by the Governor, with or without the advice or consent of the Senate, are matters which I submit to the superior wisdom of the Legislature. Nor do I venture to make suggestions as to the proper mode of appointment and tenure of the office of the heads of departments and other municipal officers, or even of the members of the common council themselves. I perceive that I discharge my duty in calling your attention to the subject, and in assuring you of my concurrence in all just and proper measures which shall secure your approval for the purpose of rescuing the citizens of our commercial capital from the evils under which they are suffering so severely.

Yet another subject of great interest to the city and indeed to the State, has been pressed upon my notice, as doubtless it will remain be, upon yours, that of the removal of the quarantine establishment from its present site on Staten Island to some point more distant from the city. In the absence of any personal knowledge or official information respecting it, which might enable me to speak with confidence, I must content myself with commending to your care this with other city matters.

I have yet another duty to perform—a duty, the obligations of which, I am not at liberty to neglect, even if I were so disposed;—and the performance of which, in my judgment, is rendered imperative by the respect which is due to the sentiments and votes in the recent presidential election of a great majority of the people of this State and of the other free states.

I do this in no partizan spirit, but under the conviction that the great principle at issue in the election, and which it so triumphantly vindicated lies at the root of our free institutions;

and is alike the concern, and should be equally the care, of all citizens who rightly estimate those institutions. No mere question could call forth so deep an interest, and so significant and decisive a vote throughout the length and breadth of the State; and I venture to believe I do not mistake its importance to your convictions respecting it when I assume, as its deliberate and irreversible decree, that so far as the State of New-York is concerned, there shall be henceforth no extension of slavery into the territories of the United States.

This conclusion I most unreservedly adopt, and am prepared to abide by it, at all times, under all circumstances, and in every emergency.

I am the more emphatic on this point, because it has been thought by the present incumbent not incompatible with the dignity and decorum of the presidential chair to stigmatize the conduct, in the recent election, of a large majority of the people of this State, as well as of other free states, by unwarrantably imputing to them motives which they do not entertain, and as directly contrary to those they both avow and strive to promote. Those imputations we know to be wholly groundless, yet they have been put forth with all the authority which high station and deliberate and artful preparation can confer; and in the discussion in the Senate of the United States of the President's message, they seem to be received and treated as true, by persons whose position as Senators gives weight to their arguments. Hence it will not be out of place here, to state the views which we of the free states do entertain in reference to the great issue that has called down upon us such extraordinary denunciation. We hold, then, first, to all the obligations, compromises and guarantees of the Constitution, as explained and understood by its founders, and, until comparatively recent days, acquiesced in by the whole country; and especially we hold, as to slavery, that in the States where it exists, it exists by the virtue of the local law alone. But that it neither exists nor is confirmed there nor anywhere by the force and effect of the Constitution of the United States. Secondly, that under the Constitution of the United States, Congress has the power to exclude slavery from the Territories, and we insist that it should exercise its power, whenever necessary, to effect that purpose. Thirdly, that under the Constitution Congress has the power to admit new States into the Union, when, and as it may judge proper and expedient, having reference, among other considera-

to their social condition. Fourthly, that the constitutional restriction, until 1808, of the power of Congress to prohibit the slave trade, and the prohibition afterwards of that trade by acts of Congress, constitute one of the compromises of the Constitution which should be firmly insisted upon and forever maintained and inviolate. But we do not claim, on the contrary, we disclaim, no right or power, or desire or purpose, to interfere with the domestic institutions of any State, or with the laws of the respective States, within the jurisdiction thereof. The agitation of the subject of slavery is not attributable to us, but was forced upon our country by the repeal of the Missouri compromise, and by the new and unsound construction attempted to be given to the Constitution of the United States, by which that instrument is made to carry slavery wherever it goes. When, therefore, we resist this aggressive spirit, and the extension of slavery to which it tends, we are acting within the Constitution, in defence alike of its spirit and its letter, and in opposition to the fanaticism of slavery.

These are fundamental principles which we have maintained and shall continue to maintain. It falls not within our province to legislate upon the subject of slavery in other States. Happily on an early day this State purged itself from that great evil, and its record since has been consistent and unvarying in behalf of liberty. When the agitation respecting the admission of Missouri was at its height, this State, so far as its Senators and Representatives in Congress would obey the voice of the Legislature, forbade by an almost unanimous vote the admission of Missouri as a slave state. That vote stands unrepealed to this day, and its generous spirit spoke again, yet more impressively, at the late election, when it said, that Kansas, too, must be free. The Missouri compromise was resisted by this State as an unwarrantable concession to slavery, and a deep wrong to freedom; but with the loyalty to the Constitution and the Union, in which she has never faltered, when the Congress of the United States decided to sanction that compromise and to admit Missouri as a slave state, conditioned that thenceforth slavery should not be carried north of the line of 36° 30', New-York acquiesced without approving, and never sought to disturb that settlement. When, however, slavery having received its full equivalent, it was proposed to withhold or to withdraw the equivalent to freedom in the restriction of slavery within the specified limits, and so to open all the territories of the United States to that blight, New-York insisted on



what virtually was a contract; and though unfavorable when made, was nevertheless intent that freedom should no its share of the bargain.

Hence New-York opposed, of right and in perfect consistency the repeal of the compromise adopted against her will. In that act which had stood on the statute book for more than thirty-four years, with all the sacredness of an implied compact was repealed, and the President of the United States in his recent message characterises it as "an objectionable enactment unconstitutional" in "its effects, and injurious in terms to a portion of the states." Objectionable to this State that enactment undoubtedly was at the time, but for precisely opposite reasons to those implied in the President's censure, because it *restricted* freedom and *extended* slavery. The compromise was forced upon the south upon the free states, but New-York was as thoroughly opposed to it *then*, as the south, speaking through the President can be *now*, when they have received all its benefits, and the era of freedom is coming. But neither New-York nor the free states ever deemed that enactment unconstitutional, but submitted reluctantly, yet unreservedly to it; for the love of freedom and respect for law, have ever been inseparable here. At this late hour a President of the United States pronounces the Missouri compromise unconstitutional, although it has every sanction of precedent, contemporaneous exposition, unbroken usage, and, up to a recent day, universal assent.

It was the unjustifiable repeal of the compromise that, at the recent election, roused so deep an excitement, which was aggravated by the fearful scenes of violence and wrong in Kansas. These evils sprang from the same bitter root—the effort to extend slavery—and were brought about by the faithless renunciation on the part of Congress of the absolute and exclusive right conferred upon it by the Constitution of "making all needful rules and regulations respecting the territory and other proper belonging to the United States." It is not competent for any branch of this government, nor all its branches combined, to propose an amendment of the Constitution in the prescribed form, to transfer to others a power confided by that Constitution to Congress; and when the phantom of squatter sovereignty was set up as an excuse for this abandonment of duty, not only was there treachery to the Constitution, but a mockery of substantial popular sovereignty. Since, in *theory*, it professed to leave the inhabitants of the territory the right to govern them-



les, while, in *fact*, the federal executive appointed all the officers—governor, judges and marshals—and again, the next was to transfer to the first few accidental settlers the right to determine, finally it might be, the condition of a territory capable of sustaining millions, while in *fact*, as irreversibly established by the committee of the House of Representatives appointed to investigate the troubles in Kansas, the *bona fide* settlers were ousted of the right thus pretended to be conferred upon them. Hordes of armed men from Missouri and other States took possession of the polls, drove from them the actual residents who would not co-operate in their avowed purpose of imposing slavery upon Kansas, and whose members of the legislature infamous to all time, by the atrocious laws which they afterwards enacted. Happily and honorably for free institutions, though most disastrously to themselves, the sons of this State, of other free States, and we may even hope some from the slave States, who went to Kansas for a new home, have steadily and successfully resisted this usurpation. Yet these are the acts which, by judicial tyranny, and at the point of the bayonet of troops of the United States, paid out of the common treasury, the President of the United States has upheld and enforced. The consequence to some of the settlers was imprisonment, to some death, to all uncertainty and alarm, and to many aggravated loss and suffering. It is hoped that under better counsels, order and peace and harmony may be restored; but meantime great distress and privation will be endured, and, therefore, I would respectfully submit to your consideration the expediency of contributing, by an appropriation of money, to be used in case of need, towards the relief of the destitution and suffering which misgovernment has occasioned in Kansas, with the single remark that to do so would only be an act of duty towards our own kith and kin who have migrated to that new region, of like character, but certainly of higher obligation with the appropriations which, in spirit of benevolence, the Congress of the United States have made from time to time for the relief of distant and foreign populations overtaken by great and sudden calamity.

I cannot close this communication without adverting to the striking illustration afforded by the recent election of the harmonious working of our institutions; and of the spirit of implicit submission to laws of their own devising, and which they feel to be equal and just, evinced by the citizens of all portions of our extended republic. After an exciting canvass lasting through

many months, in which all took part, no sooner was the result ascertained, than the most entire and absolute acquiescence ensued, and without rancor or menace or disturbance on the part of those who were defeated; the ordinary routine of life was resumed, without shock of any sort to industry, to credit, or to the interests of society. It is greatly to misjudge such a spectacle, and a wrong to the cause of constitutional liberty to find, as has been done, in such a contest, only grounds for criminating the motives of a large portion of the most intelligent, educated and moral of our population; and none of rejoicing in the signal vindication of the stability of popular governments, nor of thankfulness to the Almighty for his protection in this, as in every period of our history as a people. May that good and gracious Being still watch over and guide us in all our deliberations.

JOHN A. KING

ALBANY, *January 6, 1857.*